

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

NEW Presentment Date and Time:
May 16, 2019 at 12:00 noon

-----X
In re:

Chapter 11

RS OLD MILL, LLC

Case No: 17-22218-RDD

Debtor.
-----X

**AMENDED
NOTICE OF PRESENTMENT OF ORDER AUTHORIZING
RETENTION OF GOLDBERG WEPRIN FINKEL GOLDSTEIN LLP
AS SUBSTITUTE BANKRUPTCY COUNSEL TO THE DEBTOR**

PLEASE TAKE NOTICE that the date on which the annexed proposed Order authorizing RS Old Mill LLC (the “Debtor”) to retain Goldberg Weprin Finkel Goldstein LLP as substitute litigation counsel which will be presented for settlement to the Honorable Robert D. Drain at the U.S. Bankruptcy Court, 300 Quarropas Street, Courtroom 118, White Plains, New York has been extended from April 18, 2019 to on May 16, 2019 at 12:00 noon.

PLEASE TAKE FURTHER NOTICE THAT objections and requests for counsel shall be filed in writing through the Clerk’s ECF system, with a copy delivered to Judge Drain, and served upon (a) the Debtor’s proposed new bankruptcy counsel, Kevin J. Nash, Esq., Goldberg Weprin Finkel Goldstein LLP, 1501 Broadway, 22nd Floor, New York, NY 10036 so as to be received on or before May 15, 2019.

PLEASE TAKE FURTHER NOTICE, that in the event an objection is timely filed, a hearing will be held before the Honorable Robert D. Drain at the U.S. Bankruptcy Court, 300 Quarropas Street, Courtroom 118, White Plains, New York on May 24, 2019 at 10:00 a.m. to consider such objection.

Dated: New York, New York
April 15, 2019

Goldberg Weprin Finkel Goldstein LLP
Proposed Attorneys for the Debtor
1501 Broadway – 22nd Floor
New York, New York 10036
(212) 221-5700

By: /s/ J. Ted Donovan, Esq.

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

-----X

In re:

Chapter 11

RS OLD MILL, LLC

Case No: 17-22218-RDD

Debtor.

-----X

**ORDER AUTHORIZING RETENTION OF GOLDBERG WEPRIN FINKEL
GOLDSTEIN LLP AS SUBSTITUTE BANKRUPTCY COUNSEL TO THE DEBTOR**

Upon the application (the “Application”) of RS Old Mill, LLC (the “Debtor”) seeking authority under 11 U.S.C. § 327(a) to employ and retain Goldberg Weprin Finkel Goldstein LLP (“GWFG”) as substitute bankruptcy counsel for the Debtor; and it appearing that GWFG neither represents nor holds an interest adverse to the Debtor or to its estate in the matters upon which it is to be engaged; and that its employment is necessary and would be in the best interests of the estate; and good and sufficient notice having been given; and a hearing having been held, and the Record of said hearing being incorporated herein by reference; it is hereby

ORDERED, that the Application is granted to the extent provided herein; and it is further

ORDERED, that to the extent the Application is inconsistent with this Order, the terms of this Order shall govern; and it is further

ORDERED, that the Debtor is authorized under 11 U.S.C. § 327(a) to employ and retain GWFG as its substitute bankruptcy counsel to represent the Debtor in the remaining aspects of Chapter 11 case in place of Pick & Zabicki LLP; and it is further

ORDERED, that prior to any increases in GWFG's rates for any individual employed or retained providing services in this case, GWFG shall file a supplemental affidavit with the Court and provide ten business days' notice to the Debtor, the United States Trustee and any official committee. The supplemental affidavit shall explain the basis for the requested rate increases in accordance with Section 330(a)(3)(F) of the Bankruptcy Code and state whether the Debtor has consented to the rate increase. The United States Trustee retains all rights to object to any rate increase on all grounds including, but not limited to, the reasonableness standard provided for in Section 330 of the Bankruptcy Code, and the Court retains the right to review any rate increase pursuant to Section 330 of the Bankruptcy Code; and it is further

ORDERED, that GWFG shall be compensated for fees and reimbursed for reasonable and necessary expenses and will file interim and final fee applications for allowance of its compensation and expenses in accordance with any interim compensation order and sections 330 and 331 of the Bankruptcy Code, the Bankruptcy Rules, the Local Rules, and the United States Trustee Fee Guidelines;

ORDERED, that this Court shall retain jurisdiction with respect to all matters arising from or related to the implementation of this Order.

Dated: White Plains, NY
April __, 2019

Hon. Robert D. Drain